



896-4005

# 8

**PATENT**  
Express Mail: EV 062 741 016US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Lexun Xue et al.  
Serial No. : 09/997,445  
Filed : November 29, 2001  
Group Art Unit : TBA  
For : **Transgenic Dunaliella Salina As a Bioreactor**

Commissioner of Patents  
Washington, DC 2021

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

This is to request the correction of an error in the Filing Receipt.

Enclosed herewith is a copy of the filing receipt which indicates that there is only 1 claim and only 1 independent claim in the application.

Attached hereto is a copy of the Utility Application and Application Fee Transmittal which clearly shows 18 total claims and 2 independent claims.

Correction of the Filing Receipt is requested.

Respectfully submitted,

  
\_\_\_\_\_  
Maria C.H. Lin  
Reg. No. 29,323

Dated: **March 6, 2002**

MORGAN & FINNEGAN, L.L.P.  
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686288 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/997,445	11/29/2001		1020	2896-4005	4	1	1

## CONFIRMATION NO. 3445

## FILING RECEIPT



\*OC000000007514909\*

Morgan & Finnegan L.L.P.  
Maria C.H. Lin  
345 Park Avenue  
New York, NY 10154-0053

Date Mailed: 02/21/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Lexun Xue, Henan, CHINA;  
Weidong Pan, Henan, CHINA;  
Guozhong Jiang, Henan, CHINA;  
Jianmin Wang, Henan, CHINA;

## Domestic Priority data as claimed by applicant

## Foreign Applications

CHINA 00131217.0 12/03/2000  
CHINA 01128486.2 09/21/2001

## If Required, Foreign Filing License Granted 02/21/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

CASE 02896-4005 ATTY CIN

Early Publication Request: No

INFORMATION DISCLOSURE STATEMENT Feb. 28, 2002

Title

Transgenic dunaliella salina as a bioreactor

CONVENTION DATE EXPIRES Nov. 29, 2002FOREIGN FILING Aug. 29, 2002

Preliminary Class

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Docket No. 2896-4005

Express Mail No. EL 853 252 215US



**27123**

PATENT TRADEMARK OFFICE



↑AFFIX CUSTOMER NO. LABEL ABOVE ↑

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))**

Commissioner for Patents  
2900 Crystal Dr.  
Arlington, VA 22202-3513

BOX: NEW PATENT APPLICATION

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Lexun XUE  
40 Daxue Road  
Zhengzhou, Henan 450052  
PR China
- (2) Weidong PAN  
40 Daxue Road  
Zhengzhou, Henan 450052  
PR China
- (3) Guozhong JIANG  
40 Daxue Road  
Zhengzhou, Henan 450052  
PR China
- (4) Jianmin WANG  
40 Daxue Road  
Zhengzhou, Henan 450052  
PR China;

For: TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR

Enclosed Are:

- 11 page(s) of specification
- 1 page(s) of Abstract
- 2 page(s) of claims
- 4 sheets of  Formal  Informal drawings

7 page(s) of Declaration and Power of Attorney

- Unsigned
- Newly Executed
- Copy from prior application
- Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

Incorporation by Reference:

- The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.
- Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

Microfiche Computer Program (Appendix)

- page(s) of Sequence Listing
- computer readable disk containing Sequence Listing
- Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

Assignment Papers (assignment cover sheet and assignment documents)

- A check in the amount of \$40.00 for recording the Assignment
- Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_.
- Assignment Papers filed in the parent application Serial No. . . . .

Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

Priority is claimed under 35 U.S.C. §119 for:

Application No(s). 00131217.0, filed December 3, 2000, in PR China (country); and 01128486.2, filed September 21, 2001, in PR China (country)..

Certified Copy of Priority Document(s) [\_\_\_\_\_]

- filed herewith
- filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

- English translation document(s) [\_\_\_\_\_]
  - filed herewith
  - filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- Priority is claimed under 35 U.S.C. §119(e) for:  
Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_.
- Information Disclosure Statement
  - Copy of [\_\_\_\_\_] cited references
  - PTO Form-1449
  - References cited in parent application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
  - A copy of related pending U.S. Application(s) Serial No(s): \_\_\_\_\_, filed \_\_\_\_\_, respectively, is attached hereto.
  - A copy of related pending U.S. Application(s) entitled, \_\_\_\_\_, filed \_\_\_\_\_ to inventor(s) \_\_\_\_\_, respectively, is attached hereto.
  - A copy of each related application(s) was submitted in parent application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- Preliminary Amendment
- Return receipt postcard (MPEP 503)
- This is a  continuation  divisional  continuation-in-part of prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_, to which priority under 35 U.S.C. §120 is claimed.
  - Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
  - A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- The status of the parent application is as follows:
  - A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
  - A copy of the Petition for Extension of Time in the co-pending parent application is attached.
  - No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

Transfer the drawing(s) from the parent application to this application

Amend the specification by inserting before the first line the sentence:  
This is  continuation  divisional  continuation-in-part of co-pending application  
Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

**I. CALCULATION OF APPLICATION FEE**

	Number Filed	Number Extra	Rate	Basic Fee \$740.00/370.00
Total Claims	18- 20 =	0x	\$18.00/ \$9.00	\$ 0
Independent Claims	2- 3 =	0x	\$84.00/ \$42.00	\$ 0
<input checked="" type="checkbox"/> Multiple Dependent Claims	If marked, add fee of \$280.00 (\$140.00)			\$ 280
				TOTAL: \$ 1,020.00

Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith  
\$ \_\_\_\_\_.

A check in the amount of \$1,020.00 in payment of the application filing fees is attached.

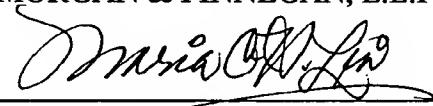
Charge fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2896-4005. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: November 29, 2001

By:

  
Maria C.H. Lin  
Registration No. 29,323

**Correspondence Address:**

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